

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298

FILED
06/12/20
10:45 AM

June 12, 2020

Agenda ID #18533
Ratesetting

TO PARTIES OF RECORD IN APPLICATION 14-04-013, ET AL:

This is the proposed decision of Administrative Law Judge Karl J. Bemederfer. Until and unless the Commission hears the item and votes to approve it, the proposed decision has no legal effect. This item may be heard, at the earliest, at the Commission's July 16, 2020 Business Meeting. To confirm when the item will be heard, please see the Business Meeting agenda, which is posted on the Commission's website 10 days before each Business Meeting.

Parties of record may file comments on the proposed decision as provided in Rule 14.3 of the Commission's Rules of Practice and Procedure.

The Commission may hold a Ratesetting Deliberative Meeting to consider this item in closed session in advance of the Business Meeting at which the item will be heard. In such event, notice of the Ratesetting Deliberative Meeting will appear in the Daily Calendar, which is posted on the Commission's website. If a Ratesetting Deliberative Meeting is scheduled, *ex parte* communications are prohibited pursuant to Rule 8.2(c)(4)(B).

/s/ ANNE E. SIMON
Anne E. Simon
Chief Administrative Law Judge

AES:gp2
Attachment

Decision **PROPOSED DECISION OF ALJ BEMESDERFER** (Mailed on 6/12/2020)**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

Joint Application of Comcast Corporation, Time Warner Cable Inc., Time Warner Cable Information Services (California), LLC, and Bright House Networks Information Services (California), LLC for Expedited Approval of the Transfer of Control of Time Warner Cable Information Services (California) LLC, (U-6874-C); and the Pro Forma Transfer of Control of Bright House Networks Information Services (California), LLC (U-6955-C), to Comcast Corporation Pursuant to California Public Utilities Code Section 854(a).

Application 14-04-013

And Related Matter.

Application 14-06-012

**DECISION GRANTING INTERVENOR COMPENSATION TO THE CENTER
FOR ACCESSIBLE TECHNOLOGY FOR SUBSTANTIAL CONTRIBUTION TO
DECISION 15-07-037**

Intervenor: Center for Accessible Technology (CforAT)	For contribution to Decision (D.) 15-07-037
Claimed: \$68,156.35	Awarded: \$ 63,481.30 (reduced by 6.9%)
Assigned Commissioner: Marybel Batjer	Assigned Administrative Law Judge (ALJ): Karl Bemesderfer

PART I: PROCEDURAL ISSUES

A. Brief description of Decision:	The Decision grants with conditions applicants' motion to withdraw their merger application
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B. Intervenor must satisfy intervenor compensation requirements set forth in Pub. Util. Code §§ 1801-1812:

	Intervenor	CPUC Verified
Timely filing of notice of intent to claim compensation (NOI) (§ 1804(a)):		
1. Date of Prehearing Conference (PHC):	July 2, 2014	Verified
2. Other specified date for NOI:	N/A	
3. Date NOI filed:	July 30, 2014	Verified
4. Was the NOI timely filed?		Yes
Showing of customer or customer-related status (§ 1802(b)):		
5. Based on ALJ ruling issued in proceeding number:	A.14-04-013 et al.	Verified
6. Date of ALJ ruling:	August 26, 2014	Verified
7. Based on another CPUC determination (specify):		
8. Has the Intervenor demonstrated customer or customer-related status?		Yes
Showing of "significant financial hardship" (§ 1802(g)):		
9. Based on ALJ ruling issued in proceeding number:	A.14-04-013 et al.	Verified
10. Date of ALJ ruling:	August 26, 2014	Verified
11. Based on another CPUC determination (specify):	N/A	
12. Has the Intervenor demonstrated significant financial hardship?		Yes
Timely request for compensation (§ 1804(c)):		
13. Identify Final Decision:	D.15-07-037	Verified
14. Date of issuance of Final Order or Decision:	July 29, 2015.	Verified
15. File date of compensation request:	September 28, 2015	Verified
16. Was the request for compensation timely?		Yes

PART II: SUBSTANTIAL CONTRIBUTION**A. Did the Intervenor substantially contribute to the final decision (see § 1802(i), § 1803(a), and D.98-04-059).**

Intervenor's Claimed Contribution(s)	Specific References to Intervenor's Claimed Contribution(s)	CPUC Discussion
<p>1. CforAT made specific contributions to the record, as set forth in detail below. The Final Decision granting Applicants' motion to withdraw the application "is functionally equivalent to an order permitting any qualifying intervenor to seek compensation for its contributions to the proceeding."</p>	<p>Final Decision at p. 29, Finding of Fact No. 5. See also Finding of Fact No. 6 ("the grant of the motion to withdraw does not preclude an intervenor from seeking intervenor compensation...").</p>	<p>Verified in part.</p> <p>D.15-07-037 Finding of Fact 6 provides: "The grant of the motion to withdraw does not preclude an intervenor from seeking intervenor compensation under Pub. Util. Code §§ 1801-1812; however, today's decision does not prejudice any intervenor's request." (p.29).</p>
<p>2. Throughout the proceeding, CforAT opposed approval of the proposed merger based on the harms it would cause to our constituency of customers with disabilities, its overall failure to serve the public interest, and the lack of effective mitigation measures.</p>	<p>This position was pervasive in all of CforAT's filings. See e.g. CforAT's Opening Brief, filed on December 10, 2014, at p. 2.</p> <p>The PD acknowledges this position, listing parties including CforAT who "oppose granting the license transfer applications, arguing that the harms that would be caused by the merger cannot be ameliorated through the imposition of conditions on the license transfer." PD at p. 60.</p>	<p>Verified</p>
<p>3. To the extent that CforAT recognized the possibility that the Commission would approve the merger with conditions (over our objection and the objection of other parties), CforAT</p>	<p>See CforAT's Opening Brief at p. 2 (noting the possibility that the merger might be approved over the objections of multiple parties including CforAT and explaining that mitigation measures were being proposed due to such possibility). See also CforAT's</p>	<p>Verified</p>

<p>identified specific concerns about the proposed merger that would impact people with disabilities and potential mitigation measures that would alleviate such concerns to some extent.</p>	<p>Opening Brief at pp. 3-9 (addressing public safety issues including battery backup power, battery monitoring, and 911 location information, and proposing mitigation to improve public safety), pp. 10-14 (addressing accessibility of services and communications for customers with disabilities and proposing mitigation measures), pp. 15-19 (addressing broadband issues and particularly Internet Essentials, and proposing mitigation measures).</p>	
<p>4. The initial Proposed Decision recognized virtually all of the identified harms to CforAT's constituency as valid.</p>	<p>CforAT, along with ORA and other intervenors, argued that "the merger bodes poorly for broadband and voice customers because it represents a merger of companies that have an objectively poor track record in providing customer service." PD at pp. 47-50, specifically citing to CforAT's argument that Comcast's effort to show it is "less bad" than other providers is not an effective demonstration that it "can or will provide effective customer service following a merger." PD at p. 50, citing CforAT's Opening Brief at p. 20.</p> <p>CforAT, along with ORA and other intervenors, commented on the "inadequacies of the Internet Essentials (IE) program and the effect of the merger on California's consumers." PD at pp. 51-57, specifically addressing IE's failure to serve the disability community, "which is not directly targeted and which has not been directly recruited for enrollment." PD at pp. 55-56, with multiple citations to CforAT's Opening Brief and supporting Declaration of Dmitri Belser, filed concurrently with the brief. CforAT also addressed the need to ensure that broadband offerings to low-income households provided sufficient speed so as to satisfy the FCC definition for</p>	<p>Verified</p>

	<p>broadband (which was updated late in the course of this proceeding, see CforAT's Motion for Official Notice, filed on February 6, 2015) and avoid the creation of two-tiered service. See e.g. CforAT's Opening Comments on PD, filed on March 5, 2015, at pp. 13-14.</p> <p>CforAT was the primary party to address the merger's impact on safety and reliability, "especially as those impacts affect disabled customers who are disproportionately low income and highly dependent on effective, reliable and affordable telecommunications service. PD at pp. 58-60, specifically addressing concerns about availability and reliability of service in an emergency and deficiencies in Comcast's battery backup program, with multiple citations to CforAT's Opening Brief. The PD specifically flags these concerns, stating "we are also persuaded by CforAT's discussion of the merger's impact on safety and reliability in California, in particular the deficiencies in Comcast's customer notification and battery backup program." PD at p. 63.</p> <p>CforAT also addressed specific concerns about accessible communications for customers with disabilities. PD at p. 59-60.</p>	
<p>5. Upon recognizing the harms identified by CforAT as valid, the PD attempted to craft mitigation measures that would alleviate the harms.</p>	<p>The PD proposed multiple enhancements to IE in order to attempt to address concerns raised by CforAT and other parties regarding the availability of broadband internet to unserved and underserved communities. PD at pp. 69-71 and mitigation measures No. 11-13. Mitigation measures are discussed in the text of the PD at pp. 74-84 and separately included as Appendix A to the PD.</p> <p>The PD addressed CforAT's proposal, along with TURN, to require Comcast to offer Lifeline phone service to voice</p>	<p>Verified in part.</p> <p>Pub. Util. Code §854(c) et al require Commission analysis and findings of fact as to safety, reliability, and community benefit regardless of a specific party or participant's position in the proceeding.</p>

	<p>customers of the merged company. PD at p. 71 and mitigation measure No. 1.</p> <p>The PD addresses CforAT's proposals to improve safety and reliability, particularly with regard to battery backup power. PD at p. 72 and mitigation measures No. 3, 6</p> <p>The PD specifically required improvements in communications access, including web accessibility and accessibility of other forms of customer communication. Mitigation measures No. 3-5.</p> <p>The PD addressed the need for broadband service (including IE) to meet speeds required by the FCC and to be available as a stand-alone service. Mitigation measures No. 16-17.</p> <p>The PD addressed the need to ensure that phone and broadband service are reliability and adequate to support 911/e911 standards. Mitigation measure No. 22.</p> <p>The PD required regular reporting and asserts the Commission's authority to take enforcement actions to address implementation of all mitigation measures. Mitigation measures No. 23-25.</p>	
6. Notwithstanding the effort made by the PD to recognize and mitigate the harms identified by CforAT, CforAT continued to oppose approval of the merger, noting concerns that mitigation measures might not be fully implemented and would be unlikely to remedy all the identified harms.	See generally CforAT's Comments on the PD and CforAT's Reply Comments on the PD, filed on March 10, 2015. CforAT also addressed these concerns in multiple ex parte meetings and communications, as well as at the all-party meetings held regarding this proceeding.	Verified
7. CforAT supported the Alternate Proposed	See Alternate Proposed Decision (Alternate) at pp.64-78 and Ordering	Verified

Decision which continued to recognize all of the harms identified by CforAT and which would have rejected the Application, finding that Applicants failed to make a showing that the merger would be in the public interest and that the harms caused by the merger cannot be fully mitigated.	Paragraph No. 1, and Comments of Center for Accessible Technology, The Greenlining Institute and Writers Guild of America, West on the Alternate Proposed Decision of Commissioner Florio, filed on May 4, 2015.	
8. CforAT consistently worked in conjunction with ORA, other consumer groups, and various additional intervenors throughout this proceeding. CforAT believes that the consistent and unified effort by multiple parties representing numerous stakeholders contributed to the eventual withdrawal of the application.	See, e.g. multiple notices of ex parte meetings and written communications that involved CforAT along with ORA, other consumer advocates such as TURN and Greenlining, and a broad coalition of other organizations who opposed the merger, such as Writers Guild of America, West, Consumers Union, and Media Alliance. One such example is the Notice of Ex Parte Communication, filed on March 24, 2015 by the Greenlining Institute on behalf of Joint Intervenors. This group effort is discussed in greater detail below with regard to CforAT's claim of non-duplication of effort.	Noted

B. Duplication of Effort (§ 1801.3(f) and § 1802.5):

	Intervenor's Assertion	CPUC Discussion
a. Was the Public Advocate's Office of the Public Utilities Commission (Cal Advocates) a party to the proceeding?¹	Yes	Verified. Protest of the Office of Ratepayer Advocates filed on May 19, 2014.
b. Were there other parties to the proceeding with positions similar to yours?	Yes	Verified
c. If so, provide name of other parties: Virtually all parties other than Applicants opposed the proposed merger, and		Verified

¹ The Office of Ratepayer Advocates was renamed the Public Advocate's Office of the Public Utilities Commission pursuant to Senate Bill No. 854, which the Governor approved on June 27, 2018.

<p>CforAT worked with most of them during the course of the proceeding. In particular, CforAT worked with the other consumer advocates, ORA, The Greenlining Institute, and TURN, but we also coordinated with, and participated in joint filings and ex parte meetings, with a broad range of additional intervenors including Common Cause, Consumers Union, Writers Guild of America, West, and Media Alliance.</p> <p>At times, CforAT's positions also coincided with CETF and NAAC, particularly on the need to improve the Internet Essentials Program should the merger be allowed to proceed. Dish Network and Cal-Tel also shared various concerns about the merger and the need for substantial mitigation if the merger had been authorized to move forward.</p>	
<p>d. Intervenor's claim of non-duplication:</p> <p>CforAT maintains that the existence of a broad, unified coalition of intervenors and advocates who consistently opposed the merger based on both common and individual concerns was key to the merger's eventual failure. CforAT worked effectively as part of such a broad coalition, focusing on our unique issues of concern to people with disabilities (including accessible communication issues, safety issues, and affordable broadband) where appropriate and supporting the overall efforts of the coalition. On issues of common concern to multiple parties, such as the benefit (or lack thereof) of Internet Essentials, CforAT made unique contributions such as our addition to the record of the experience our organization had in efforts to enroll clients in the program.</p> <p>Parties with joint interests in opposing the proposed merger, including CforAT, worked diligently to cooperate and avoid duplication, with joint filings (for which different issues were assigned to different parties) and careful coordination. CforAT submits that these efforts successfully avoided or minimized any duplication and no reductions should be made to the time recorded.</p>	<p>Verified. Center for Accessible Technology did not engage in excessive duplication.</p>

PART III: REASONABLENESS OF REQUESTED COMPENSATION (to be completed by Intervenor except where indicated)

A. General Claim of Reasonableness (§ 1801 and § 1806):

<p>a. Intervenor's claim of cost reasonableness:</p> <p>During the course of this proceeding, CforAT articulated multiple harms that would impact our constituency of people with disabilities if the merger were allowed to move forward. By participating as part of a broad coalition that opposed the merger, including work to demonstrate why the proposed merger would not serve the interests of California and why mitigation would not adequately overcome the anticipated harms, CforAT contributed to the eventual decision by the Applicants to withdraw the proposed merger. Our advocacy thus helped prevent the articulated harms from coming to pass.</p> <p>While it is difficult to assign a dollar figure to avoided harms, the PD and the Alternate in this proceeding both agreed with CforAT regarding the risk of harm that the proposed merger raised for our constituency. Overall, the benefit of avoiding such harms outweighs the costs of CforAT's participation, particularly due to the fact the individual households including a person with a disability do</p>	<p>CPUC Discussion</p> <p>Verified. The cost of CforAT's participation is reasonable subject to CPUC Adjustments and Disallowances below.</p>
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not have resources to advocate for themselves before the Commission.	
<p>b. Reasonableness of hours claimed:</p> <p>The hours claimed in this request closely match the estimate provided in CforAT's NOI. CforAT estimated that counsel would spend 150 hours and that our in-house expert would spend 30 hours on this proceeding; in fact, counsel spent approximately 140 hours and our expert spent less than 12 hours in our efforts to oppose the merger.</p> <p>CforAT participated effectively in all aspects of the proceeding, including discovery, briefing, active ex parte participation, attendance at multiple all-party meetings and comments on both the PD and the Alternate. CforAT submits that this work was necessary and reasonable given the course of the proceeding.</p>	<p>Verified, subject to CPUC Adjustments and Disallowances below.</p>
<p>c. Allocation of hours by issue:</p> <p>In our NOI, CforAT identified potential issues of Harm/Mitigation (50%), Public Interest (20%), Jurisdiction (15%) and General Participation (15%). As the proceeding developed, we determined that it was not possible to separate out Harm/Mitigation from Public Interest, and time spent addressing all of these are jointly labeled "Public Interest." While not broken down further in our time records, the key public interest concerns addressed by CforAT include accessible communications for people with disabilities, public safety (including battery backup power), broadband access/Internet Essentials, and customer service. We also touched on other public interest issues in conjunction with other intervenors.</p> <p>Counsel's time allocated by issue is set out below. All time spent by CforAT's expert, Dmitri Belser, was spent on Public Interest issues (specifically accessible communications and broadband access/IE).</p> <p>Public Interest/Harm/Mitigation:</p> <p>As noted above, this category includes time spent on issues regarding the effect of the proposed merger on the public interest, including potential harm and mitigation measures.</p> <p>2014: 36.9 hours (of 63.1 total) for 58% of time 2015: 52.6 hours (of 75.4 total) for 70% of time</p> <p>Jurisdiction:</p> <p>This category includes time spent addressing the extent of the Commission's jurisdiction over the proposed merger, as well as the procedural interplay between review at the Commission and at the FCC. Because this issue was addressed extensively by other parties, CforAT's time allocated to Jurisdiction is well below the estimated level.</p> <p>2014: 5.5 hours (of 63.1 total) for 9% of time 2015: 0.8 hours (of 75.4 total) for 1% of time</p>	<p>Verified, subject to CPUC Adjustments and Disallowances below.</p>

General Participation:

This category includes activities necessary to participate effectively in the proceeding that cannot be allocated to other issues, including procedural matters and time spent reviewing filings by other parties. Because of the procedural complexities of this proceeding and its eventual resolution, as well as the large number of filings and documents involved, the time spent on general activities is appropriately relatively large.

2014: 20.7 hours (of 63.1 total) for 33% of time

2015: 22.0 hours (of 75.4 total) for 29% of time

B. Specific Claim:*

CLAIMED						CPUC AWARD		
ATTORNEY, EXPERT, AND ADVOCATE FEES								
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Hours	Rate \$	Total \$
Melissa W. Kasnitz	2014	63.1	\$450	D.15-01-047	\$28,395	56.30 [1]	450.00	\$25,335.00
Melissa W. Kasnitz	2015	75.4	\$450	ALJ-308 (no COLA for 2015)	\$33,930	74.00 [2]	450.00	\$33,300.00
Dmitri Belser	2014-2015	11.5	\$235	D.15-03-038 set 2013 rate at \$235. Apply 2.58% COLA for 2014 (ALJ-303), and no COLA for 2015 (ALJ-308)	\$2702.50	11.50	235.00	\$2,702.50
Subtotal: \$ \$65,027.50						Subtotal: \$ 61,337.50		
INTERVENOR COMPENSATION CLAIM PREPARATION **								
Item	Year	Hours	Rate \$	Basis for Rate*	Total \$	Hours	Rate	Total \$
Melissa W. Kasnitz	2014/2015	13.3	\$225	½ standard hourly rate	\$2,992.50	9.30	225.00	\$2,092.50
Subtotal: \$2,992.50						Subtotal: \$2,092.50		
COSTS								
#	Item	Detail			Amount	Amount		
	Postage	See attached expense report			\$22.10	\$22.10		
	Printing/Copying	See attached expense report and comment below.			\$73.00	\$29.20 [3]		
	Transportation	See attached expense report			\$41.25	\$0.00 [4]		
		Expense Total:			\$136.35	Subtotal: \$51.30		
TOTAL REQUEST: \$ 68,156.35						TOTAL AWARD: \$63,481.30		

****We remind all intervenors that Commission staff may audit their records related to the award and that intervenors must make and retain adequate accounting and other documentation to support all claims for intervenor compensation. Intervenors' records should identify specific issues for which it seeks compensation, the actual time spent by each employee or consultant, the applicable hourly rates, fees paid to consultants and any other costs for which compensation was claimed. The records pertaining to an award of compensation shall be retained for at least three years from the date of the final decision making the award.**

****Travel and Reasonable Claim preparation time typically compensated at ½ of preparer's normal hourly rate**

ATTORNEY INFORMATION			
Attorney	Date Admitted to CA BAR²	Member Number	Actions Affecting Eligibility (Yes/No?) If "Yes", attach explanation
Melissa W. Kasnitz	December, 1992	162679	No, but includes periods of inactive status prior to 1997

C. Attachments Documenting Specific Claim and Comments on Part III (attachments not attached to final Decision):

Attachment or Comment #	Description/Comment
1	Certificate of Service
2	Detailed Time Records – Merits
3	Expert Time – Belser
4	Detailed Time Records – Compensation
5	Expenses
Comment (copy/print expenses)	CforAT's copy/print expenses stem from use of a printer at the offices of DREDF, which are located in the same building (the Ed Roberts Campus, a designated hub for nonprofit organizations serving the needs of people with disabilities). As a small organization, CforAT does not have printers that can easily handle large jobs of the sort that are required at times for effective participation in Commission proceedings. CforAT's printers are sufficient for small jobs and day-to-day production of hard copies, and such costs are absorbed in CforAT's overhead. Additionally, CforAT has entered into an agreement with DREDF for use of its printer, which can handle selected larger print jobs. DREDF charges CforAT \$0.25 per page for such print jobs, which is the rate it receives for reimbursement in litigation. CforAT is aware that the Commission generally reimburses print costs at \$0.10 per page. However, the ability to (selectively) prepare hard copies from a location across the hall continues to make DREDF the best option for CforAT. CforAT respectfully requests that the Commission approve its requested rate of \$0.25 per page for printing limited selections of material from this proceeding, as recorded.

D. CPUC Disallowances and Adjustments:

² This information may be obtained through the State Bar of California's website at <http://members.calbar.ca.gov/fal/MemberSearch/QuickSearch>.

Item	Reason
[1] M. Kasnitz 2014 Hours	<p>October 13, 2014 - 0.10 hours billed by attorney Melissa W. Kasnitz, Esq. (“MWK”) as “Review email exchange w/ ALJ re: phone bridge at hearing on ORA motions” are disallowed as administrative tasks. 0.00 hours of the requested non-compensable task hours are approved.</p> <p>November 14, 2014 - 0.20 hours billed by MWK as “Consumer email exchange setting call to discuss ALJ ruling resetting schedule” are disallowed as administrative tasks. 0.00 hours of the requested non-compensable task hours are approved.</p> <p>November 14, 2014 - 0.30 hours billed by MWK as “Attend consumer call re: scheduling issues” are disallowed as vague and appear to be a clerical and administrative tasks. 0.00 hours of the requested non-compensable task hours are approved.</p> <p>December 10, 2014 - 6.0 hours billed by MWK as “Prepare brief, supporting declaration & exhibits” are disallowed as block billed, non-allocated tasks. 0.00 hours of the requested non-compensable task hours are approved.</p> <p>December 24, 2014 - 0.20 hours billed by MWK as “Email exchange w/ Comcast counsel re: setting date for meeting” are disallowed as vague and appear to be administrative tasks. 0.00 of the requested non-compensable task hours are approved.</p>
[2] M. Kasnitz 2015 Hours	<p>January 3, 2015 - 0.10 hours billed by MWK as “Consumer email exchange scheduling coordination call” are disallowed as vague and appear to be administrative tasks. 0.00 of the requested non-compensable task hours are approved.</p> <p>January 6, 2015 - 0.10 hours billed by MWK as “Email exchange w/ S. Toller setting meeting” are disallowed as vague and appear to be administrative tasks. 0.00 of the requested non-compensable task hours are approved.</p> <p>January 9, 2015 - 0.20 hours billed by MWK as “Email exchange setting time for meeting” are disallowed as vague and appear to be administrative tasks. 0.00 of the requested non-compensable task hours are approved.</p> <p>March 9, 2015 -0.20 hours billed by MWK as “Review multiple ex parte notices” are disallowed as vague and non-descript. 0.00 of the requested non-compensable task hours are approved.</p> <p>March 16, 2015 - 0.20 hours billed by MWK as “Review multiple party ex parte notices” are disallowed as vague and non-descript. 0.00 of the requested non-compensable task hours are approved.</p> <p>March 20, 2015 - 0.20 hours billed by MWK as “Review various ex parte notices & emails” are disallowed as vague and non-descript. 0.00 of the requested non-compensable task hours are approved.</p> <p>March 24, 2015 - 0.20 hours billed by MWK as “Review ex parte notices” are disallowed as vague and non-descript. 0.00 of the requested non-compensable task</p>

	<p>hours are approved.</p> <p>March 27, 2015 - 0.20 hours billed by MWK as “Review multiple ex parte notices” are disallowed as vague and non-descript. 0.00 of the requested non-compensable task hours are approved.</p> <p>September 17, 2015 - 2.0 of 13.30 total hours billed by MWK “Draft compensation request” are reduced by 1.0 hours on vague and excessive claim preparation hours grounds. 1.0 hours of the requested task are approved.</p> <p>September 18, 2015 - 2.50 of 13.30 total hours billed by MWK “Draft compensation request” are reduced by 1.25 hours on vague and excessive claim preparation hours grounds. 1.25 hours of the requested task are approved.</p> <p>September 25, 2015 - 3.50 of 13.30 total hours billed by MWK “Draft compensation request” are reduced by 1.75 hours on vague and excessive claim preparation hours grounds. 1.75 hours of the requested task are approved.</p>
[3] Printing/Copying	<p>December 4, 2014 - \$15.00 of total \$25.00 cost reimbursement sought by MWK for 100 pages of Printing/Copy charges is disallowed as a non-compensable expense in excess of the Commission’s limit of \$0.10 per page. \$10.00 of the requested Printing/Copy expense is approved.</p> <p>February 13, 2015 - \$15.45 of total \$25.75 cost reimbursement sought by MWK for 103 pages of Printing/Copy charges is disallowed as a non-compensable expense in excess of the Commission’s limit of \$0.10 per page. \$10.30 of the requested Printing/Copy expense is approved.</p> <p>April 10, 2015 - \$13.35 of total \$22.25 cost reimbursement sought by MWK for 89 pages of Printing/Copy is disallowed as a non-compensable expense in excess of the Commission’s limit of \$0.10 per page. \$8.90 of the requested Printing/Copy expense is approved.</p>
[4] Transportation	<p>February 25, 2015 - \$7.50 of total \$7.50 cost reimbursement sought by MWK for transportation by Bay Area Rapid Transit (“BART”) under one hundred and twenty (120) miles is disallowed as an inappropriate claimed expense. \$0.00 of the requested non-compensable BART expense is approved.</p> <p>March 11, 2015 - \$7.50 of total \$7.50 cost reimbursement sought by MWK for transportation BART under one hundred and twenty (120) miles is disallowed as an inappropriate claimed expense. \$0.00 of the requested non-compensable BART expense is approved.</p> <p>March 11, 2015 - \$3.75 of total \$3.75 cost reimbursement sought by MWK for transportation by BART under one hundred and twenty (120) miles is disallowed as an inappropriate claimed expense. \$0.00 of the requested non-compensable BART expense is approved.</p> <p>March 13, 2015 - \$7.50 of total \$7.50 cost reimbursement sought by MWK for transportation by BART under one hundred and twenty (120) miles is disallowed as an inappropriate claimed expense. \$0.00 of the requested non-compensable BART expense is approved.</p>

	<p>March 13, 2015 - \$7.50 of total \$7.50 cost reimbursement sought by MWK for transportation by BART under one hundred and twenty (120) miles is disallowed as an inappropriate claimed expense. \$0.00 of the requested non-compensable BART expense is approved.</p> <p>April 23, 2015 - \$7.50 of total \$7.50 cost reimbursement sought by MWK for transportation BART under one hundred and twenty (120) miles is disallowed as an inappropriate claimed expense. \$0.00 of the requested non-compensable BART expense is approved.</p>
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PART IV: OPPOSITIONS AND COMMENTS

Within 30 days after service of this Claim, Commission Staff
or any other party may file a response to the Claim (see § 1804(c))

A. Opposition: Did any party oppose the Claim?	Yes
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If so:

Party	Reason for Opposition	CPUC Discussion
Comcast Corporation	<p>On October 28, 2015, Comcast Corporation (Comcast) filed “<i>Response Of Comcast Corporation To The Intervenor Compensation Claim Of The Center For Accessible Technology For Contribution To Decision 15-07-037</i>” (Response) in which it does not contest Center For Accessible Technology (CforAT) eligibility for reasonable compensation. Comcast does, however, contend that CforAT duplicated the work of the Office of Rate Payer Advocates and to a “lesser degree” the work of Intervenor The Greenlining Institute (Greenlining), The Utility Reform Network (TURN), and California Emerging Technology Fund (CETF).</p> <p>Comcast further contends that CforATs multiple areas of overlap in areas that were already adequately represented include but are not limited to impact on service quality (ORA/Greenlining/TURN); Internet Essentials (CETF/ORA/Greenlining/TURN); and public safety (Greenlining/TURN) . Comcast also contends that CforAT’s billed time for internal review and calls with other intervenors. was unreasonable. (Response p. 3-4).</p>	<p>Verified in part. CforAT did not engage in excessive duplication of work. Appropriate disallowances for attorney service hours erroneously billed for administrative, clerical, or paralegal functions, if any. are reflected in the compensation awarded herein.</p>

B. Comment Period: Was the 30-day comment period waived (<i>see</i> Rule 14.6(c)(6))?	No
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If not:

Party	Comment	CPUC Discussion

FINDINGS OF FACT

1. Center for Accessible Technology made a substantial contribution to D.15-07-037.
2. The requested hourly rates for Center for Accessible Technology's representatives, as adjusted herein, are comparable to market rates paid to experts and advocates having comparable training and experience and offering similar services.
3. The claimed costs and expenses, as adjusted herein, are reasonable and commensurate with the work performed.
4. The total of reasonable compensation is \$63,481.30

CONCLUSION OF LAW

1. The Claim, with any adjustment set forth above, satisfies all requirements of Pub. Util. Code §§ 1801-1812.

ORDER

1. Center for Accessible Technology is awarded \$63,481.30.
2. Within 30 days of the effective date of this decision, Comcast Corporation shall pay Center for Accessible Technology the total award. Within 15 days of invoice, Time Warner Cable Inc., Time Warner Cable Information Services (California), LLC, and Bright House Networks Information Services (California), LLC shall pay Comcast Corporation their respective shares of the award, based on their California jurisdictional telecommunications revenues for the 2014 calendar year, to reflect the year in which the proceeding was primarily litigated. Payment of the award shall include compound interest at the rate earned on prime, three-month non-financial commercial paper as reported in Federal Reserve Statistical Release H.15, beginning December 12, 2015, the 75th day after the filing of Center for Accessible Technology's request, and continuing until full payment is made.

3. Comcast Corporation shall invoice the other Joint Applicants for their shares of the award within 30 days of the effective date of this Decision.
4. The comment period for today's decision is not waived.
5. Applications (A.) 14-04-013 and A.14-06-012 are closed.

This decision is effective today.

Dated _____, at San Francisco, California.

APPENDIX

Compensation Decision Summary Information

Compensation Decision:		Modifies Decision?	No
Contribution Decision(s):	D1507037		
Proceeding(s):	A1404013, A1406012		
Author:	ALJ Karl Bemederfer		
Payer(s):	Comcast Corporation		

Intervenor Information

Intervenor	Date Claim Filed	Amount Requested	Amount Awarded	Multiplier?	Reason Change/Disallowance
Center for Accessible Technology (CforAT)	September 28, 2015	\$68,156.35	\$63,481.30	N/A	See Disallowances and Adjustments, above.

Hourly Fee Information

First Name	Last Name	Attorney, Expert, or Advocate	Hourly Fee Requested	Year Hourly Fee Requested	Hourly Fee Adopted
Melissa	Kasnitz	Attorney	\$450	2014	\$450
Melissa	Kasnitz	Attorney	\$450	2015	\$450
Dmitri	Belser	Expert	\$235	2014-2015	\$235

(END OF APPENDIX)